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June 14, 2011

Honorable Hugh B. Scott
United States Magistrate Judge
414 United States Courthouse
68 Court Street
Buffalo, New York 14202
(716) 332-7860

Re: McEwen v. Northstar Location Services, LLC
Civil Action No.: 1:11-cv-00097-WMS -HBS

Dear Judge,

I left two messages with your voicemail earlier today and wanted to follow up in writing to ensure that you received this notice. It appears that the parties have tentatively reached a settlement in this matter. As such, both parties believe that the Rule 16b Conference presently scheduled before Your Honor tomorrow at 2:30 p.m. is no longer necessary.

Both opposing counsel, Mr. John Gaughan, and myself, will look to get the terms of said settlement in writing within the next few days, and will thereafter promptly file a dismissal in this case once settlement proceeds have been paid.

We currently anticipate that this process should take no longer than three (3) weeks to accomplish. Please let me know if you have any questions or concerns and thank you for your time.

Sincerely,



Frank J. Borgese, Esq.
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